



# MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC # 225-2006

## LETTER TO COMMISSION

TO: Mayor David Dermer and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: September 22, 2006

SUBJECT: **Preliminary Agenda for the 2007 Florida Legislative Session**

The purpose of this LTC is to provide the Mayor and City Commission with a list of preliminary legislative priorities that the Administration has identified for the 2007 session of the Florida Legislature. Although the session will not convene until March 2007, the Administration anticipates that an organizational session will take place in late November, following the election, with legislative committee meetings beginning shortly thereafter.

The attached list includes items that have been carried over from the 2006 list of priorities, as well as items related to property insurance that have been discussed more recently. Although there are a number of items that still need discussion by the City Commission prior to their placement on the City's legislative agenda, the Administration and the City's lobbyists will begin work on the issues identified in the attachment during the Fall.

Additional information for the following issues is included in the attachment:

- Condominium Reform
- Property Insurance
- Citywide WiFi / Telecommunications and Cable Reform
- Bert J. Harris Act
- Community Redevelopment Areas
- Convention Center Sales Tax Refund
- Property Taxes / Affordable Housing
- Community Budget Issue Requests
- Grant Support
- State Budget Issues

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CITY CLERK'S OFFICE

Prior to the December City Commission meeting, the City's state lobbyists will meet with each of you individually, and the Administration will present the final 2007 Legislative Agenda at the December Commission meeting for approval. The Neighborhoods Committee will consider the recommendations of the Ad Hoc Condominium Reform Taskforce, and the Quality in Education Committee will make recommendations for the City's Education Agenda. There are also several subjects that are currently being discussed by various committees that will most likely result in proposed legislation. These include items being considered by:

- The Property & Casualty Insurance Reform Committee;
- The Property Tax Reform Committee;
- The House Workgroup on Affordable Housing;
- Miami-Dade County's Community Affordable Housing Strategies Alliance

The Administration will provide the Mayor and City Commission with the recommendations of these committees as they become available, for consideration of the City's position on the issues and their inclusion as part of the City's final legislative agenda.

If you have any questions or comments, please do not hesitate to contact me.

JMG/HF/kc

Attachment

c:     Executive Staff

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# MIAMI BEACH

ECONOMIC DEVELOPMENT DEPARTMENT

## PRELIMINARY 2007 LEGISLATIVE AGENDA

### LEGISLATIVE PRIORITIES

#### **Condominium Reform**

Request: *Increase the disclosure requirements and the level of detail that must be included in engineering report results for condominium conversions. Create a conduit financing mechanism for major condominium repairs.*

Additional condominium reform-related issues will be discussed by City Commission committee and considered by the full Commission in December 2006.

#### **Property Insurance**

Request: *Expand the eligibility criteria for the My Safe Florida Homes Program to include hurricane mitigation measures for multi-family buildings.*

Request: *Create a grant program that assists multi-family buildings in complying with the alternative power source requirement of Section 553.509, Florida Statutes.*

Request: *Place priority on the distribution of available mitigation funds to the highest risk locations, as identified in part by the methodology used and the insurance rates established by Citizens Property Insurance Corporation.*

Request: *The Florida Legislature should address the insurance crisis in Florida by incorporating the following guidelines:*

- a. Consideration should be given to proposals that will depopulate Citizens;*
- b. Allowing private insurance companies more freedom to raise rates is not a suitable solution;*
- c. Waiting on the federal government to create a national catastrophe fund or tax-free savings accounts is insufficient;*
- d. The Legislature should not be limited to only private market solutions;*
- e. Give due consideration to proposals which restructure or expand the Florida Catastrophe Fund, or create a larger reinsurance pool for companies or a more affordable layer of statewide windstorm insurance.*

Additional insurance-related issues will be presented to the City Commission in December 2006, after the State's Property & Casualty Insurance Reform Committee makes its recommendations.

#### **Citywide Wireless Network / Telecommunications and Cable Reform**

Request: *The City of Miami Beach is in the process of implementing a citywide wireless internet network and opposes legislation that will limit or prohibit the City's ability to move forward with this project. Protect local authority over rights-of-way; require full build-out; retain local funding from franchise agreements.*

## **Bert J. Harris Act**

Request:

*The City opposes legislation that weakens or removes the sovereign immunity provision in the Bert Harris Act, and further will work to support legislation that not only maintains, but strengthens the sovereign immunity provision.*

## **Community Redevelopment Areas**

Request:

*The City supports an amendment to F.S.S. Chapter 163 that will allow for the use of Redevelopment Trust Fund monies for enhances fire safety services.*

Summary:

*Chapter 163, Part III, authorizes cities to create Community Redevelopment Areas, and currently authorizes the use of Redevelopment Trust Fund monies for community policing innovations. In addition to police services, fire rescue services are an integral component of the City's public safety services, and enhance public safety contributes to the successful revitalization and redevelopment of blighted areas. Therefore, the City supports legislation that will allow the Miami Beach Redevelopment Agency to expend Trust Fund monies for fire services within the City's Redevelopment Area.*

## **Convention Center Sales Tax Refund**

Request:

*The City supports the introduction and passage of legislation in the Florida Legislature that will return 50% of the sales taxes remitted by eligible convention centers to the municipality that owns the center for economic development purposes.*

Summary:

*This proposal will return 50% of the revenues remitted to the State from taxes on sales and use at the Convention Center to the City for business recruitment and retention purposes. The prior proposal was for the recruitment of high-tech, research and development, manufacturing and tourism industries. The City of Miami Beach desires that this program be eligible for the recruitment of all industries listed on the targeted industry list of the State's QTI Tax Refund Program.*

## **Property Taxes / Affordable Housing**

Request:

*Create an ad valorem tax deferral program for the owners of apartment buildings who meet certain rental rate thresholds and property maintenance standards, in an effort to encourage their retention.*

Summary:

*The preservation of rental apartment buildings has the greatest potential for addressing affordable housing issues. To this end, the underlying fiscal and economic issues that are impacting inventory and cost must be addressed. The Waterfronts Florida legislation adopted in 2005 sets forth a process for application and administration of the tax deferral program, which could be applied to a new program targeting affordable rental properties.*

*Additional property tax related issues, including homestead exemption portability, will be discussed by City Commission Committee and considered by the full Commission in December 2006, after the State's Property Tax Reform Committee has made its recommendations..*

## **Education Issues**

Status:

*Education items will be discussed by the Education Committee, to be presented to Commission for consideration in December 2006.*

## FUNDING PRIORITIES

### COMMUNITY BUDGET ISSUE REQUESTS:

#### **Stormwater Infrastructure Improvements**

Request: *The City will submit a CBIR to seek funding assistance for stormwater infrastructure improvements.*

Summary: *The City received \$400,000 for stormwater infrastructure improvement funding in 2004 and 2004, and \$750,000 in 2006, and seeks additional funding assistance for the City's ongoing Capital Improvement Program.*

#### **Other Miami Beach Funding**

Summary: *The City will monitor funding levels for Miami Beach based organizations during the budget process. In the past, organizations and projects that provide services to the Miami Beach community have received earmarks, such as the Miami Beach Senior Center and the meals program.*

### GRANT SUPPORT:

#### **Hazard and Pre-disaster Mitigation Grant Programs**

Request: *Support full funding of City projects in the FY 07 Hazard Mitigation Grant Program and FY 65 Pre-disaster Mitigation Grant Program.*

Request: *Create a grant program that assists in compliance with Section 558.509, F.S. (Alternative Power Source for certain multi-family buildings).*

#### **Domestic Security Program**

Request: *Support full funding for City projects submitted through Miami-Dade County to the State of Florida's FY 06/07 Domestic Security Program.*

#### **Anchoring and Mooring**

Request: *Research potential funding sources for the study and establishment of a mooring field / anchorage area.*

#### **Cultural Facilities**

Request: *The City has submitted a grant application to the Cultural Facilities Program for the 10<sup>th</sup> Street Auditorium. The City supports full funding of this program at a level that ensures funding of the City's application.*

## **STATE BUDGET ISSUES:**

### **Affordable Housing**

Request: *The City supports removal of the cap and an increase of the funding available through the State Housing Initiatives Partnership (SHIP) Program.*

Request: *Increase the funding available through the Community Workforce Housing Innovation Program (CWHIP).*

### **Beach Renourishment**

Request: *Fully fund beach renourishment at \$30 million and support Miami-Dade County's request for beach renourishment funding.*

### **Hurricane Mitigation / Property Insurance**

Request: *Distribute the latest \$100 million of federal Community Development Block Grant funding in accordance with Congress's intent that particular emphasis be placed on the repair, rehabilitation and reconstruction of affordable rental housing.*

Request: *Adequately fund free inspections and matching grants for hurricane mitigation improvements to multi-family buildings (apartments and condos), similar to the My Safe Florida Home Program.*

### **District Cost Differential**

Request: *The City supports the reinstatement of the District Cost Differential funding formula to 2003 levels in order to compensate for a higher district cost of living and will oppose any legislation to further reduce or eliminate the formula.*

### **Entertainment Industry Incentives**

Request: *The City supports full funding of the Entertainment Industry Incentive Fund.*